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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Atty. Docket

MENNO A. TREFFERS ET AL.

PHNL 000448

SERIAL NO.: 09/930,654

GROUP ART UNIT: 2137

FILED: August 15, 2001

EXAMINER: J.D. Popham

METHOD AND DEVICE FOR CONTROLLING DISTRIBUTION AND USE OF DIGITAL  
WORKSCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

RESPONSE UNDER 37 C.F.R. 1.116

This is in response to the Office Action mailed October 17, 2005, in which the Examiner finally rejected claims 1 and 3-13 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0042043 to Shear et al. in view of U.S. Patent 6,226,618 to Downs et al. and U.S. Patent 5,892,900 to Ginter et al.; and claim 2 under 35 U.S.C. 103(a) as being unpatentable over Shear et al. in view of Downs et al. and Ginter et al., and further in view of U.S. Patent 6,064,751 to Smithies et al.

Applicants traverse the above rejections and offer the following explanation.

OK to wtr

JP 2/28/06

PHNL000448-AMT-021106

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